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Security Council

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Letter dated 30 December 2002 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia (see annex), containing an account of the Committee's activities for the year 2002. The report, which was adopted by the Committee on 27 December 2002, is being submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234).

(*Signed*) Stefan **Tafrov**
Chairman
Security Council Committee established pursuant
to resolution 751 (1992) concerning Somalia

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Annex

Report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia covers the period from 1 January to 27 December 2002.

2. The report of the Committee covering its activities from 1 January to 25 December 2001 (S/2001/1259, annex) was submitted to the Security Council on 26 December 2001. No further activities took place during the period 26 to 31 December 2001.

3. For 2002, the bureau consisted of Stefan Tafrov (Bulgaria) as Chairman, with the delegations of Mexico and Norway providing the two Vice-Chairmen.

4. The Committee held three formal meetings and four informal consultations in 2002.

II. Background

5. By paragraph 5 of Security Council resolution 733 (1992), adopted on 23 January 1992, the Council decided that all States should immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Somalia until the Security Council decides otherwise. In resolution 751 (1992), paragraph 11, the Council decided to establish a Committee of the Security Council to monitor the implementation of the arms embargo. In resolution 954 (1994), paragraph 12, the Council requested the Committee to seek the cooperation of neighbouring States for the effective implementation of the arms embargo. Resolution 1356 (2001), adopted in June 2001, in paragraphs 2 and 3, provided for exemptions to the measures imposed in resolution 733 (1992) by allowing for the import of non-lethal military equipment intended solely for humanitarian or protective use.

6. On 28 March 2002, the President of the Security Council issued a statement (S/PRST/2002/8), expressing the Council's determination to put in place concrete arrangements and/or mechanisms to generate independent information on violations and for improving the enforcement of the arms embargo. The statement also noted with serious concern the continued flow into Somalia of weapons and ammunition supplies from other countries.

7. In paragraph 1 of its resolution 1407 (2002), adopted on 3 May 2002, the Council requested the Secretary-General to establish, in preparation for a Panel of Experts, a team of experts consisting of two members for a period of 30 days, to provide the Committee with an action plan detailing the resources and expertise that the Panel of Experts would require to be able to generate independent information on violations and for improving the enforcement of the weapon and military equipment embargo established by paragraph 5 of resolution 733 (1992). In paragraph 8, the Council requested all States to report to the Committee no later

than 60 days from the adoption of the resolution and thereafter according to the timetable set by the Committee, on measures they have in place to ensure the full and effective implementation of the arms embargo, and with a view to complementing the action taken by the Council pursuant to paragraph 3 of resolution 1407 (2002). In paragraph 9, the Security Council called upon all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo.

8. In paragraph 3 of its resolution 1425 (2002), adopted on 22 July 2002, the Council requested the Secretary-General to establish a Panel of Experts consisting of three members to be based in Nairobi for a period of six months, in order to generate independent information on violations of the arms embargo and as a step towards giving effect to and strengthening the embargo.

III. Summary of the Committee's activities

9. On 8 March 2002, in informal consultations, the Secretariat briefed the members on the Committee's work to date. A number of suggestions concerning the future work of the Committee were made by members, with some calling for the creation of a mechanism to monitor the arms embargo. All members agreed on the need to activate the work of the Committee.

10. On 23 April 2002, in informal consultations, the Committee welcomed the Chairman's decision to travel to the region, to review ways to improve the implementation of the arms embargo, to demonstrate the importance the Security Council attaches to the sanctions regime, to remind Governments of their obligations under the relevant Security Council resolutions, and to establish cooperative relationships with relevant regional organizations.

11. On 28 May 2002, at its 19th formal meeting, the Committee considered a letter dated 16 May 2002 from Somalia containing allegations that Ethiopia had violated and continued to violate the arms embargo against Somalia. As agreed by the members, the Chairman addressed a letter dated 6 June 2002 to the Permanent Representative of Ethiopia requesting information on the allegations. As also agreed, the Chairman sent a note verbale (SCA/1/02(09)) dated 7 June 2002 to all States, reminding them of their obligations under paragraph 5 of resolution 733 (1992), paragraph 12 of resolution 954 (1994), and paragraphs 8 and 9 of resolution 1407 (2002), and appealing to States geographically neighbouring Somalia, and other States that might have the ability to monitor air, land and sea traffic in the area, to increase their vigilance with respect to the movement of goods across common borders with Somalia and to monitor and identify the origin of the carriers and of the goods destined for the ports of Somalia. As further agreed, letters dated 6 June 2002 were addressed to the Permanent Observer of the Organization for African Unity (OAU) and to the Executive Secretary of the Inter-Governmental Authority on Development (IGAD) seeking their cooperation. The Committee agreed to issue a press release following the meeting (SC/7417).

12. In response to the request contained in paragraph 8 of resolution 1407 (2002) that all States report to the Committee no later than 60 days from the adoption of that resolution on measures they have in place to ensure the full and effective implementation of the arms embargo, 15 Member States had replied by the end of the 60-day period, while an additional 23 replies have been received since then (see

appendix). The Committee encourages States that have not yet replied to do so as soon as possible.

13. On 10 June 2002, the Committee held informal consultations to hear a short briefing by the two-member team of experts, whose 30-day mandate officially commenced on 1 June 2002. The team outlined its work plan and answered questions raised by Committee members.

14. On 28 June 2002, informal consultations were convened to hear a presentation of the findings and recommendations contained in the report of the team of experts and to consider the report on a preliminary basis. As agreed by the members, the Chairman sent letters dated 3 July 2002 to Ethiopia and Somalia in response to letters received from these States with regard to alleged violations of the arms embargo by Ethiopia. As further agreed, the Chairman sent a letter dated 3 July 2002 to IGAD in response to its offer to increase its cooperation with the Committee.

15. On 9 September 2002, the 20th formal meeting of the Committee was held to introduce the Panel of Experts and review its programme of work. The Panel answered a number of questions raised by Committee members in this regard.

16. On 14 November 2002, the 21st formal meeting of the Committee was convened to hear an oral mid-term briefing of the Panel of Experts, in accordance with paragraph 10 of resolution 1425 (2002). The Panel described its work and preliminary findings as well as its work plan for the rest of its mandate and answered questions raised by members of the Committee. At the same meeting, the Chairman announced, with support from the Committee, that his mission to the region would be further postponed, until the latter part of January 2003.

17. On 7 and 22 November, and on 16 December 2002, the Committee approved requests from the United Kingdom, on behalf of HALO Trust, to import humanitarian mine clearance equipment to Somalia under the no-objection procedure.

IV. Summary of the activities of the team of experts and the Panel of Experts

18. The team of experts established by paragraph 1 of resolution 1407 (2002) met with a number of Governments, international organizations, non-governmental organizations, and academic institutions during its 30-day mandate, which commenced on 1 June 2002. In this connection, the team visited Belgium, Djibouti, Ethiopia, France, Germany, Kenya, Sweden, Switzerland, the United Kingdom and the United States of America. The team of experts submitted its report on 3 July 2002 (S/2002/722), recommending the establishment of a Panel of Experts consisting of at least three persons based in Nairobi and provided with administrative support in Nairobi and New York.

19. On 22 August 2002, the Secretary-General appointed the three members of the Panel of Experts established pursuant to paragraph 3 of resolution 1425 (2002) (see S/2002/951). The Panel commenced its six-month mandate, based in Nairobi, on 4 September 2002. By the time of its mid-term briefing provided to the Committee on 14 November 2002, the Panel had visited Governments, international

organizations, non-governmental organizations, and academic institutions in Eritrea, Ethiopia, France, Italy, Kenya, Somalia, Switzerland, the United Kingdom, and the United States of America. The Panel at that time stated that it was planning further visits to a number of additional States and to a number of additional regions in Somalia. The Panel is expected to submit its report by 3 March 2003, in accordance with paragraph 11 of resolution 1425 (2002).

V. Observations

20. The Committee in 2002 markedly increased its level of activity compared with previous years, mainly as a result of the increased attention given to the arms embargo against Somalia by the Security Council and the Council's decision to set up a Panel of Experts on Somalia. It is expected that the work of the Panel of Experts, as well as the Chairman's planned trip to the region in 2003, will increase the visibility and effectiveness of the arms embargo. Nevertheless, the Committee continues to rely on the cooperation of States and organizations in a position to provide information on violations of the arms embargo.

Appendix

Replies received from States in accordance with paragraph 8 of resolution 1407 (2002) and/or in reply to note verbale SCA/1/02(09)

	State	*Date of report*	*Symbol*
1	Finland	13 June 2002	S/AC.29/2002/1
2	Lebanon	18 June 2002	S/AC.29/2002/2
3	Sudan	18 June 2002	S/AC.29/2002/3
4	Malta	21 June 2002	S/AC.29/2002/4
5	Slovak Republic	20 June 2002	S/AC.29/2002/5
6	Slovenia	27 June 2002	S/AC.29/2002/6
7	Russian Federation	25 June 2002	S/AC.29/2002/7
8	Luxembourg	20 June 2002	S/AC.29/2002/8
9	Mexico	2 July 2002	S/AC.29/2002/9
10	Canada	25 June 2002	S/AC.29/2002/10
11	Romania	28 June 2002	S/AC.29/2002/11
12	Pakistan	2 July 2002	S/AC.29/2002/12
13	Singapore	2 July 2002	S/AC.29/2002/13
14	Sweden	2 July 2002	S/AC.29/2002/14
15	Thailand	2 July 2002	S/AC.29/2002/15
16	Liechtenstein	3 July 2002	S/AC.29/2002/16
17	Bulgaria	8 July 2002	S/AC.29/2002/17
18	Moldova	7 July 2002	S/AC.29/2002/18
19	Austria	8 July 2002	S/AC.29/2002/19
20	Germany	3 July 2002	S/AC.29/2002/20
21	Norway	3 July 2002	S/AC.29/2002/21
22	Lebanon	8 July 2002	S/AC.29/2002/22
23	Switzerland	11 July 2002	S/AC.29/2002/23
24	Syrian Arab Republic	15 July 2002	S/AC.29/2002/24
25	Belarus	17 July 2002	S/AC.29/2002/25
26	New Zealand	16 July 2002	S/AC.29/2002/26
27	Kuwait	17 July 2002	S/AC.29/2002/27
28	Denmark	19 July 2002	S/AC.29/2002/28
	Denmark	23 August 2002	S/AC.29/2002/28/Corr.1
29	Cyprus	22 July 2002	S/AC.29/2002/29
30	Czech Republic	24 July 2002	S/AC.29/2002/30
31	Republic of Korea	29 July 2002	S/AC.29/2002/31
32	Poland	15 July 2002	S/AC.29/2002/32
33	Ireland	8 August 2002	S/AC.29/2002/34
34	Brazil	12 August 2002	S/AC.29/2002/35
35	Ukraine	6 September 2002	S/AC.29/2002/36
36	Ghana	27 September 2002	S/AC.29/2002/37
37	South Africa	3 October 2002	S/AC.29/2002/38
38	Colombia	15 September 2002	S/AC.29/2002/39